

Town of Frederick Board of Trustees



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AM 2010-026

CONSIDERATION OF AN ORDINANCE TO VACATE A PORTION OF COLORADO BOULEVARD RIGHT-OF-WAY

Agenda Date: Town Board Meeting – March 9th, 2010

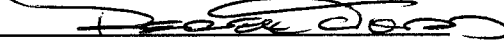
Attachments:

- a. Ordinance with Legal Description
- b. Weld County's Quit Claim Deed

Fiscal Note: None noted or provided


Finance Director

Submitted by: Brian Frank  *RJ*
Staff Engineer

Approved for Presentation: 
Town Administrator

AV Use Anticipated Projector _____ Laptop _____

Certification of Board Approval: _____
Town Clerk Date

Summary Statement:

As discussed at the December 13th, 2007 Town Board meeting, staff was directed to vacate the portion of the right-of-way for the old alignment of Colorado Blvd (WCR 13) that is no longer needed because of the realignment of Colorado Blvd, once the realignment was constructed and accepted.

Detail of Issue/Request:

Over the past several years the Town worked with Dacono, CDOT and Weld County to make significant improvements to Colorado Blvd (WCR 13), which included realigning the road to match up with Colorado Blvd south of Highway 52. Previously there was about a 500 foot gap between where WCR 13 north alignment and Colorado Blvd's south alignment hit Highway 52. During the design of Colorado Blvd improvements, Weld County secured the required right-of-way (ROW) for the ultimate build out of Colorado Blvd through Town. Part of the needed ROW was to be granted by Dacono Investment Co. per a letter of understanding that also referenced the Town's intention to vacate the unneeded portion

of old WCR 13 ROW. As a separate item on tonight's Board meeting, Dacono Investment Co. is dedicating the ROW needed for the ultimate buildout of Colorado Blvd. The ROW for the old alignment of WCR 13, that is no longer needed by the Town, was originally owned by Weld County but Quit Claimed to Frederick as part of the agreement with Weld County (see attached Quit Claim document). Weld County sent the Town a letter dated April 14, 2009 stating that they have accepted the construction of Colorado Blvd (WCR 13) and have transferred the maintenance responsibilities to the Town.

Legal/Political Considerations:

Per State statutes, this vacated ROW will revert to the adjacent landowners, which in this case is Dacono Investment Co.

Alternatives/Options:

The alternative is to keep this portion of right-of-way, but with the realignment of Colorado Blvd there is no use for this portion of right-of-way.

Financial Considerations:

Not applicable.

Staff Recommendation:

Staff recommends that the Board approve the attached ordinance vacating the portion of the old WCR 13 right-of-way as described in the legal description and exhibit attached, subject to the dedication of the Colorado Blvd ROW by Dacono Investment Co.